

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Akihisa TOMITA  
Title: CRYPTOGRAPHIC KEY DISTRIBUTION  
METHOD AND APPARATUS THEREOF  
Appl. No.: Unassigned  
Filing Date: August 21, 2001  
Examiner: Unassigned  
Art Unit: Unassigned



**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

The relevance of the foreign-language document is described in the present specification. An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR § 1.98 and MPEP § 609). English language abstract is attached.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.


Respectfully submitted,

Date August 21, 2001

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

By Phillip J. Artwohl  
for / David A. Blumenthal  
Attorney for Applicant  
Registration No. 26,257

Reg. No.  
38,819

Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 072982-0225		SERIAL NO. Unassigned	
<b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i>				APPLICANT Akihisa TOMITA			
				FILING DATE August 21, 2001		GROUP ART UNIT Unassigned	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A1	5,515,438	5/96	Bennett et al.	380	278	
11046 U.S. PTO 09/933172  08/21/01							
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	A2	2000101570	4/00	Japan			Abstr.
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	A3	Bennett et al., "Quantum Public Key Distribution System", IBM Technical Disclosure Bulletin, Vol. 28, No. 7 December 1985, pages 3153-3163.					
	A4	Bennett, "Quantum Cryptograph Using Any Two Nonorthogonal States", Physical Review Letters, Vo. 68, Number 21, May 25, 1992, pages 3121-3124.					
	A5	Yuen et al., "Classical noise-based cryptograph similar to two-state quantum cryptography", Physics Letters, A 241, 1998, pages 135-138.					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
* <b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.							